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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,294	07/31/2003	Tom G. Poast	320043.429	3328
500	7590	08/01/2006	EXAMINER	
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE SUITE 6300 SEATTLE, WA 98104-7092			BOCHNA, DAVID	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/633,294	<b>Applicant(s)</b> POAST ET AL.	
	<b>Examiner</b> David E. Bochna	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6, 16 and 18-34 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33 and 34 is/are allowed.
- 6) ☒ Claim(s) 1-3, 16, 18-22, 25-28, 30 and 32 is/are rejected.
- 7) ☒ Claim(s) 4, 6, 23-24, 29, 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 16, 18-22, 25-28, 30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Choma et al.

In regard to claim 1, Choma et al. discloses a system, comprising:

A structural work piece 50 having an opening;

A tubular fitting 12 received in the opening of the structural work piece, the fitting comprising:

a ring portion 24 having an outer circumference and an inner circumference, the outer circumference being closely receivable by the opening in the structural work piece when the ring portion is inserted into the opening;

at least a first coupling member 16 having at least a minimum inner circumference, an outer envelope, and an end section 14 the coupling member extending axially from the ring portion, the minimum inner circumference 20 being larger than the inner circumference of the ring portion 24, the outer envelope sized to be moved through the opening in the work piece, and the end section configured to be engageable with another device; and wherein the ring portion is expanded so as to establish a secure interference fit between the outer circumference of the ring portion mid the opening in the work piece.

In regard to claim 2, wherein the ring portion includes a radial flange 26 located adjacent to the work piece when the outer circumference of the ring portion is within the opening in the work piece.

In regard to claim 3, comprising a radially opening girth groove 18 located near the end section of the coupling member.

In regard to claim 16, Choma et al. discloses a fitting, the fitting comprising:

a ring portion 24 having an outer circumference and an inner circumference, the outer circumference being closely receivable by the opening in the work piece 50, the ring portion being radially expandable where the amount of expansion is sufficient to establish a secure interference fit between the outer circumference of the ring portion and the opening in the work piece;

a radial flange 26 extending outwardly from the outer circumference of the ring portion 24, the radial flange being dimensioned so as to abut against and extend in an outward radial direction along a portion of the work piece when the ring portion is closely received by the opening in the work piece; and

at least one coupling member 16 having at least a minimum inner circumference, an outer envelope, and an end section, the coupling member extending axially from the ring portion, the minimum inner circumference 20 being larger than the inner circumference of the ring portion 24, the outer envelope sized to be moved through the opening in the work piece, and the end section is configured to couple with at least one other device.

In regard to claim 18, the one other device is a piece of conduit coupled with the end section of the coupling member 16.

In regard to claim 19, Choma et al. discloses an assembly comprising:

A structural member 50 having an opening defining an inner surface;

a fitting 12 having a ring portion 24 and at least one coupling section 16, the ring portion having an outer circumference and an inner circumference. the outer circumference being closely receivable by the opening in the work piece, the ring portion 24 being radially expandable where the amount of expansion is sufficient to establish a secure interference fit between the outer circumference of the ring portion and the opening in the work piece, the at least one coupling section 16 having at least a minimum inner circumference, an outer envelope, and a first portion, the coupling member extending axially from the ring portion, the minimum inner circumference 20 being larger than the inner circumference of the ring portion 24, the outer envelope sized to be moved through the opening in the work piece and,

a first member having an inner passage and a first segment, the inner passage in fluid communication with the fitting when the first segment is coupled with the first portion of the at least one coupling section.

In regard to claims 20 and 22, Choma et al. discloses a method for routing a conduit through an

opening in a structural work piece, the method comprising:

inserting a first portion 16 of a fitting into the opening in the work piece, the first portion of the fitting having an outer envelope sufficiently sized to be received by the opening,

positioning a ring portion 24 in the opening of the work piece, the ring portion connected with the first portion where the first portion extends axially from the ring portion, the ring portion having an outer circumference sized to fit tightly within the opening of

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the work piece;

inserting a mandrel 96 through the fitting located in the work piece, the ring portion of the fitting having an inner circumference sized to be radially expandable by an increased circumference section of the mandrel, the first portion of the fitting having an inner circumference sized to be slightly larger than the increased circumference section of the mandrel; and

expanding the ring portion of the fitting in an outwardly radial direction as the mandrel is forced through the inner circumference of the ring portion such that the outer circumference of the ring portion contacts the opening so as to form an interference fit, and coupling a second device (via 16) with the first portion of the fitting, the second device affixed to the conduit such that the conduit is routed through the secured fitting when the second device is attached.

In regard to claim 21, further comprising:

cold working the material d in the work piece adjacently located to the outer circumference of the ring portion of the fitting (see fig. 4).

In regard to claim 25, the minimum inner circumference of the at least one coupling section is smooth.

In regard to claim 26, a radial flange 26 coupled to the ring portion 24, the radial flange separated from the at least one coupling section 16 by the ring 24.

In regard claim 27, a thickness of the ring portion 24 is substantially equivalent to a thickness of the work piece 50.

In regard to claim 28, the structural work piece 50 is a bulkhead.

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In regard to claim 30, after expanding the ring portion 24, coupling a conduit to the first portion 16 of the fitting.

In regard to claim 32, the first portion 16 extends from the structural work piece 50 when the ring portion 24 is positioned within the opening structural work piece.

***Allowable Subject Matter***

3. The indicated allowability of claim 22 was withdrawn in view of the newly discovered reference(s) to Choma et al.
4. Claims 33-34 are allowed.
5. Claims 4, 6, 23-24, 29 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***


6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pachciarz et al., Kurimoto et al., and Choma et al. 5,253,773 all disclose similar couplings common in the art.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
David E. Bochna  
Primary Examiner  
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